

# BURIED ALIVE

TRAPPED BY POVERTY AND  
NEGLECT IN CAIRO'S  
INFORMAL SETTLEMENTS

HOUSING IS  
A HUMAN RIGHT

AMNESTY  
INTERNATIONAL



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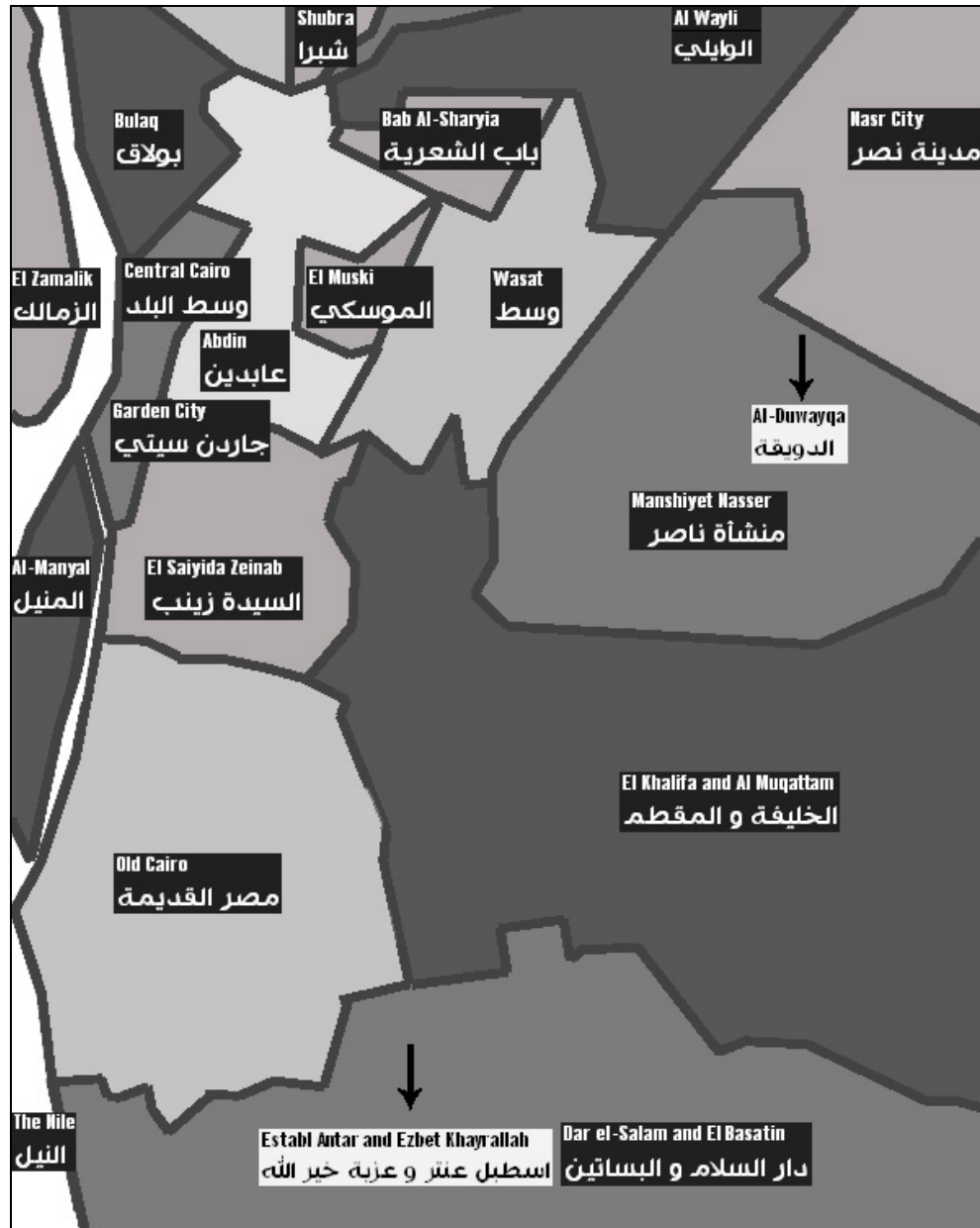
*Cover photo:* A deadly rockslide destroyed a large section of Ezbet Bekhit informal settlement, east Cairo, on 6 September 2008. It was a stark reminder of the daily risks to lives and security faced by residents of informal settlements in Egypt.

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# CONTENTS

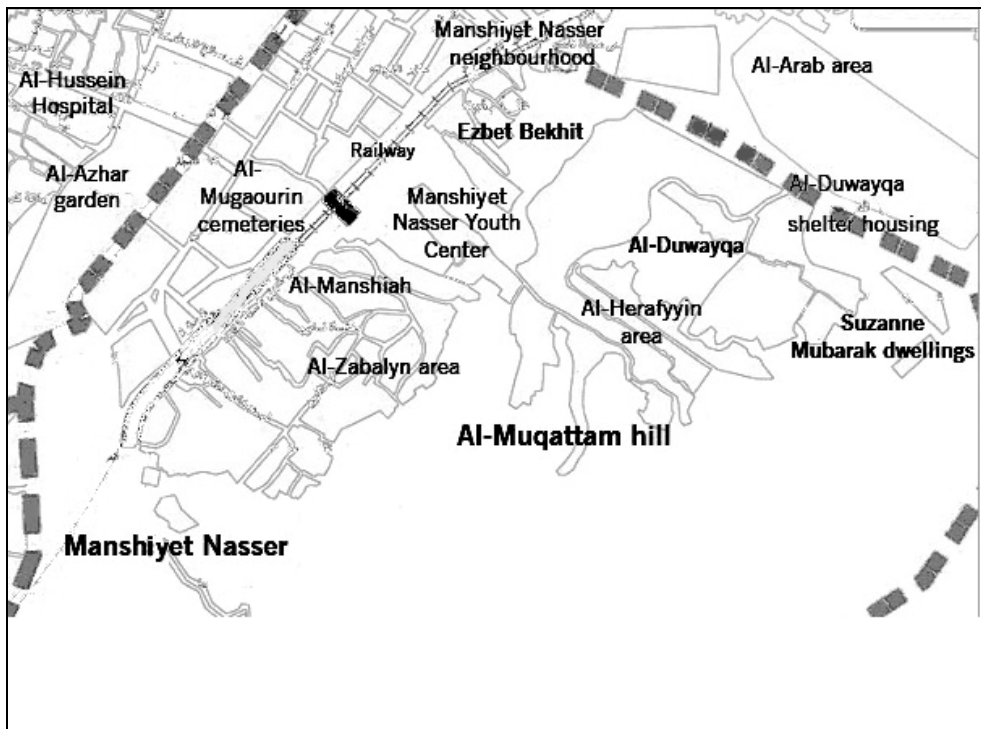
1. Introduction .....	6
Egypt's informal settlements .....	9
Action needed .....	11
2. The fatal Al-Duwayqa rockslide .....	14
3. Uncertain future: relocation of survivors .....	20
4. Waves of evictions .....	24
Establ Antar .....	28
Atfet Al-Moza .....	29
5. Living in fear: areas still at risk .....	32
Haret Ahmed Nader .....	32
Al-Shohba .....	33
Unsafe areas in 2050 Greater Cairo plan .....	34
6. Conclusions and recommendations .....	36
Recommendations .....	37
Endnotes .....	40

# CAIRO GOVERNORATE



Source: Greater Cairo Utility Data Centre

# MANSHIYET NASSER



Source: Greater Cairo Utility Data Centre



# 1. INTRODUCTION

## **"We are buried alive under the dust"**

Fathy, resident of Haret Ahmed Nader in Al-Duwayqa

Between 8:30am and 9:20am on 6 September 2008, huge boulders and rocks crashed down Al-Muqattam Hill in Al-Duwayqa onto Ezbet Bekhit in the Manshiyet Nasser neighbourhood of east Cairo, home to around a million of the city's poorest residents. By the time the terrifying roar subsided, 107 people were dead and 58 lay injured, according to officials.<sup>1</sup> Survivors put the toll much higher, saying that the bodies of their relatives and entire families remain buried under the rubble. Nearly 100 buildings were destroyed.

Survivors searched desperately for their relatives and neighbours – dead or alive – with the help of a small number of civil protection personnel. They poured out their anger at the authorities for failing to prevent the rockslide or relocate residents, despite repeated warnings about the impending rockslide. Survivors threw stones at visiting officials and clashed with the riot police cordon.<sup>2</sup> They believed that no one had listened to them because they were seen as poor, powerless and less than human.

Studies initiated by the government following a deadly 1993 rock fall in the neighbouring Al-Zabalyn informal settlement (slum – *ashwa'iyat* meaning "random")<sup>3</sup> had identified danger zones all around Al-Muqattam Hill, including the area in Manshiyet Nasser devastated by the 2008 rockslide. Residents living in the vicinity of the hill had informed the authorities that cracks were appearing in the walls of their homes, and they feared for their safety. A contractor hired by local authorities to secure rocks on the hill repeatedly warned the authorities about the high risk of a rock fall.

Despite all the warnings months before the rockslide, the authorities failed to evacuate the impoverished residents and provide them with temporary or alternative housing.

On 8 September, two days after the Al-Duwayqa disaster, Egypt's President Hosni Mubarak ordered the relocation of survivors into new two-bedroom flats in the Suzanne Mubarak dwellings, part of an upgrading project in Al-Duwayqa (see Chapter 3).<sup>4</sup> On 11 September, Egypt's Speaker of Parliament began a speech in parliament by saying: "How similar today is to yesterday!" referring to the rock fall of 1993. The Minister of Housing, Utilities and Urban Development emphasized "fate", as according to him the population was just about to be relocated into the new flats.<sup>5</sup>

Over the next few days, survivors began to move in to the Suzanne Mubarak dwellings. The Egyptian Red Crescent and charities helped to equip some but not all of the flats. This welcome and quick response was marred by irregularities in the allocation of the flats, including alleged corruption.

In the days following the rockslide, the Ministry of Social Solidarity offered compensation of up to 5,000 Egyptian pounds (EGP – approximately US\$900) to families for each member killed, and up to EGP1,000 for each person injured.<sup>6</sup>

The Egyptian authorities failed to respect human rights standards in their responses in the aftermath of the rockslide. People living in areas deemed unsafe in Al-Duwayqa and Ezbet Bekhit were moved in a manner which breached the international standards that states must observe while carrying out evictions. These standards require states to have procedural safeguards in place. Even when evacuation is warranted to protect residents' lives and safety, states must act in a manner that is reasonable in the circumstances and proportionate to the risk of harm.

Within a month of the disaster, the authorities demolished 1,025 homes in Al-Duwayqa and Ezbet Bekhit with inadequate notice provided only orally, not in writing, which undermines peoples' right to appeal. They made no attempt to consult the affected communities before or after the demolitions about the evictions or plans for resettlement. The process used to identify beneficiaries of alternative housing led to some people being left homeless and to discrimination against women in certain cases. In part, homelessness and discrimination was the result of a lack of rules or guidelines for the enumeration committees sent into informal settlements by the local authorities to identify residents eligible for alternative housing. The authorities have also failed to provide all those living in alternate housing with even a minimum degree of legal security of tenure, which would guarantee them with legal protection against forced eviction, harassment and other threats.<sup>7</sup>

Forced evictions, which are prohibited by international human rights law (see Chapter 4), continued in Al-Duwayqa (for instance, in Atfet Al-Moza Street in Al-Herafyin area) and have been ongoing in Establ Antar, an informal settlement in the south of Cairo identified as dangerous by the authorities after the rockslide. The authorities provided families in Establ Antar with no information about the eviction, on the possible dangers or why they needed to be relocated immediately. The authorities also made no attempt to consult affected families on their alternative housing either before or after the evictions. More than 173 homes built on the top and bottom of Al-Zahraa Hill were demolished in this settlement. The families were resettled to a remote residential area in 6 October City, south-west of Giza, far from their social networks, schools and sources of income. The threat of more evictions remains.

Immediately after the Al-Duwayqa rockslide, Egypt's Public Prosecutor opened an investigation into the circumstances leading to the deaths and the possible criminal responsibility of local and central government officials. However, at the time of writing in September 2009, no findings have been disclosed and no one has been held to account for the deaths and injuries.

Governments cannot be held responsible for every disaster that leads to loss of life and injuries. However, if the authorities know there is a real and immediate threat to the right to life and security, as was the case in Al-Duwayqa, they are obliged to take all necessary measures that could reasonably be expected to avoid such risks.

Other parts of Manshiyet Nasser remain at risk of rock falls, but the government has not taken any steps to begin consultations on possible relocation options. The communities have not been provided with any information or opportunities to participate in decision-making or been consulted on possible resettlement options. In Haret Ahmed Nader and Al-Shohba areas in Al-Duwayqa, for example, residents told Amnesty International that the danger of rock falls haunts them daily.

The growth of informal settlements in Egypt has taken place for many reasons, including the unavailability of affordable housing. In 2000, the UN Committee on Economic, Social and Cultural Rights expressed its concern over “the massive housing problems faced by the Egyptian population” and urged Egypt to “combat the acute housing shortage by adopting a strategy and a plan of action and by building or providing, low-cost rental housing units, especially for the vulnerable and low income groups.”<sup>8</sup> In 2009, the UN Arab Human Development Report estimated that 41 per cent of people in Egypt were living in poverty.<sup>9</sup>

Since 1952, the Egyptian government has been building “economic” (popular) housing for “those of limited income”.<sup>10</sup> In the 1970s and 1980s construction of new urban communities in the desert intensified to absorb the burgeoning population, including 10th Ramadan City, Sadat City, 15th May City, 6 October City, Al-Nahda City, El Minya el-Gedida and Asyout el-Gedida.<sup>11</sup> In 2001, the Ministry of Planning estimated demand for low-income housing units by 2017 would be 3.7 million out of the total of 5.3 million units needed.<sup>12</sup>

In October 2005, the Ministry of Housing, Utilities and Urban Development launched the National Housing Project to tackle the housing problem in Egypt.<sup>13</sup> The six-year project aims to provide 500,000 housing units to young people “of limited income”.<sup>14</sup> This is to be achieved through the allocation to each beneficiary of a plot of land in new cities, a grant of EGP15,000 (approximately US\$2,700), and other help to obtain mortgages or in paying the instalments for the finished unit.

According to the Ministry, 145,852 people applied.<sup>15</sup> However, the housing units remain unaffordable for many people due to high construction costs and mortgage rates.<sup>16</sup> Moreover, between 1997 and June 2008, the Cairo Governorate allocated 7,699 housing units in Cairo's new cities to families who had been evicted administratively; 8,801 to people after their neighbourhoods were upgraded or degraded, such as Zenhoun; 2,064 to newly wed couples; 3,879 to people whose homes were in imminent danger of collapsing; and 1,421 to people in an “extreme situation of need”.<sup>17</sup>

## AMNESTY INTERNATIONAL'S METHODOLOGY

This report is based on two fact-finding visits to Cairo by Amnesty International delegates in February and August 2009, as well as information gleaned from official sources and academic research.

This report draws on group discussions and individual interviews conducted by Amnesty International delegates during both visits, generally in the residents' areas. About 12 group discussions took place, including seven focus group discussions, with on average 15-20 participants.<sup>18</sup> For each discussion, the groups comprised residents of a given street or a category of people, such as Ezbet Bekhit survivors. The group members were generally self-selected.

Besides the group discussions, the delegates were able to document in more detail the situations of 50 individuals through individual interviews. They spoke on behalf of their families – 42 in total. Seventeen of these families are highlighted in this report.

In total nearly 250 individuals shaped with their voices the findings of this report. They are former residents of Ezbet Bekhit and Al-Duwayqa informal settlements who were affected by the rockslide of 2008; evictees from these areas who were rehoused in the Suzanne Mubarak dwellings and those who were not; current residents



of Ezbet Bekhit and Al-Duwayqa, in particular: Haret Ahmed Nader, Al-Shohba and Atfet Al-Moza; and current residents of Establ Antar informal settlement and its evictees. The interviews focused on the current living conditions of the residents and how they were affected by the Al-Duwayqa rockslide.

Amnesty International is grateful to the survivors of Ezbet Bekhit and residents of Al-Duwayqa and Establ Antar, who generously gave their time to explain their experiences, needs and expectations. Their resilience is a source of inspiration as they continue to campaign for their rights.

Amnesty International would like to thank in particular the Egyptian Center for Housing Rights for its time and insights about the human rights issues faced by residents of informal settlements in Al-Duwayqa and elsewhere in Egypt, as well as the development and community-based organizations in Manshiyet Nasser and Establ Antar, particularly the Association for the Development and Enhancement of Women in Manshiyet Nasser and the Association for the Development of Local Society in Ezbet Khayrallah. Amnesty International also thanks the academics, civil society activists and media workers whose contributions enrich this report.

Background information about informal settlements in Egypt and Manshiyet Nasser were collected from official and academic sources, including the Central Agency for Population Mobilisation and Statistics, the Cairo Governorate, the National Council for Human Rights, the Egyptian Red Crescent Society, GTZ's participatory urban development programme in Cairo, the Social Research and Studies Center, the Housing and Land Rights Network of Housing International Coalition, the Egyptian Center for Housing Rights, the Land Center for Human Rights and the Egyptian Organization for Human Rights.

While in Cairo, Amnesty International delegates met representatives of the Egyptian Red Crescent; the head of Manshiyet Nasser Neighbourhood Authority; a Cairo Governor advisor on Manshiyet Nasser; representatives of the Institute of National Planning and the National Authority for Remote Sensing and Space Sciences (NARSSS); the National Council for Human Rights and the Public Prosecutor.

Amnesty International wrote to the Minister of Housing, Utilities and Urban Development, the Minister of Local Development and the Governor of Cairo about the Al-Duwayqa rockslide, to seek clarification of allegations of human rights violations and to seek meetings with them. Amnesty International's requests for information and meetings remained unanswered. In March 2009, the head of the Informal Settlements Development Facility (ISDF), a newly established body, answered Amnesty International's letter and presented ISDF's mandate. The organization shared this report with ISDF and these authorities before publication.

## EGYPT'S INFORMAL SETTLEMENTS

According to UN-Habitat, the term "informal settlement" often "refers to illegal or semi-legal urbanization processes, or unsanctioned subdivisions of land at the (then) urban periphery where land invasion took place – often by squatters, who erected housing units usually without formal permission of the land owner and often with materials and building standards not in line with the criteria of the local building code".<sup>19</sup> UN-Habitat defines a slum household as a group of individuals living under the same roof who lack one or more of the following:

- Durable housing of a permanent nature that protects against extreme climate conditions.
- Sufficient living space, which means not more than three people sharing the same room.

10 Buried alive:  
Trapped by poverty and neglect in Cairo's informal settlements

- Easy access to safe water in sufficient amounts at an affordable price.
- Access to adequate sanitation in the form of a private or public toilet shared by a reasonable number of people.
- Security of tenure that prevents forced evictions.

Official figures vary, but there are an estimated 1,221 informal settlements in Egypt. About half of the population of Greater Cairo live in informal settlements. Most are on private agricultural land; some, including in Manshiyet Nasser, are on state-owned land that was vacant and mostly not approved for urban settlement.

For people with meagre incomes and for migrants from poorer governorates seeking work in the capital, the lack of affordable housing offers them a stark choice – an informal settlement or the degraded neighbourhood in the historical heart of the city. Both lack basic amenities and meet the UN-Habitat's definition of slums.

In 1993, the government launched an upgrading programme after it identified the settlements as what it considered to be a breeding ground for "Islamist" activities, among other reasons.<sup>20</sup> By 2007, according to the Ministry of Local Development, 340 informal settlements had been upgraded and 11 had been demolished.

The remaining 870 host around 12.2 million people, with over half of them (53.2 per cent) living in 156 informal settlements in the Greater Cairo region,<sup>21</sup> according to the Central Agency for Population Mobilisation and Statistics.<sup>22</sup>

People "hand claim" (*wada' yad*) a plot on state-owned land in the desert, or pay money to the previous claimant to take over the plot. These "owners" usually pay property taxes (*awayed*). The possession of official documents such as property tax receipts or electricity bills does not confer title over the land or home and does not protect the holders from eviction. The documents are, however, recognized by local authorities' enumeration committees when listing which current residents of informal settlements are entitled to alternative housing.

Following the re-election of President Mubarak in 2005, several decrees were adopted to formalize the situation of residents in informal settlements and introduce basic infrastructure. These allow local authorities to authorize squatters to live on state-owned land in exchange for a fee set by the authorities. It is unclear, however, to what extent the decree has been enforced and in which areas, or whether or not it provides full security of tenure.

One decree<sup>23</sup> allowed residents to apply for basic services such as water, electricity and sewerage within three months of its adoption. This appears to have allowed many homes to be officially connected to the electricity grid.

## THE RIGHT TO ADEQUATE HOUSING

The UN Committee on Economic, Social and Cultural Rights has emphasized that "the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by

merely having a roof over one's head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity."<sup>24</sup>

The Committee has identified the following aspects which are crucial to determine whether any particular form of shelter can be considered to constitute adequate housing under Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR):<sup>25</sup>

**1) Legal security of tenure.** Among the various forms this takes are rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing and informal settlements, including occupation of land or property. Notwithstanding the type of tenure, everyone should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties to the ICESCR should consequently take immediate measures aimed at conferring legal security of tenure upon those people and households currently lacking such protection, in genuine consultation with affected people and groups.

**2) Availability of services, materials, facilities and infrastructure.** An adequate house must contain certain facilities essential for health, security, comfort and nutrition. All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services.

**3) Affordability.** Personal or household financial costs associated with housing should be at such a level that the attainment and satisfaction of other basic needs are not threatened or compromised.

**4) Habitability.** Adequate housing must be habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain, wind or other threats to health, structural hazards, and disease vectors. The physical safety of occupants must be guaranteed as well.

**5) Accessibility.** Adequate housing must be accessible to those entitled to it. Disadvantaged groups, including older people and children, people living with physical and mental disabilities or illnesses, the terminally ill, people living with HIV or AIDS or persistent medical problems, victims of natural disasters and people living in disaster-prone areas, must be accorded full and sustainable access to adequate housing resources.

**6) Location.** Adequate housing must be in a location that allows access to employment options, health-care services, schools, child-care centres and other social facilities. Housing should not be built on polluted sites nor near pollution sources that threaten the right to health of the inhabitants.

**7) Cultural adequacy.** The way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity and diversity of housing.

## ACTION NEEDED

The 2008 Al-Duwayqa rockslide was a dreadful reminder of the variety of dangers faced by the millions of people who live in Egypt's overcrowded informal settlements. Lessons must be learned and acted on by the authorities to prevent further tragedies, particularly as 26 unsafe areas in Greater Cairo have been identified. The government has announced its intentions to

“develop” these areas within seven to 10 years in line with the framework of a strategic plan for Greater Cairo in 2050 (see Chapter 5).

The Egyptian authorities are obliged to take positive measures to protect the right to life, in line with Article 6 of the International Covenant on Civil and Political Rights (ICCPR). Authorities must not violate the prohibition on forced evictions under Article 11 of the International ICESCR and Article 17 of the ICCPR. Egypt is a state party to both Covenants. It is also currently a member of the UN Human Rights Council.

In light of the failure of the Egyptian authorities to live up to their international human rights obligations towards the residents of Al-Duwayqa and other informal settlements, Amnesty International is making several recommendations. These include calling on the authorities to:

- Ensure that all survivors of the Al-Duwayqa rockslide and victims of subsequent forced evictions are provided, within a reasonable time, with adequate alternative housing without discrimination and with legal security of tenure.
- Develop a comprehensive plan, consistent with international human rights law, to address the threats to the rights to life and health and the inadequate housing conditions of people living in unsafe areas. The plan should include offering temporary housing to enable people to be evacuated in situations of immediate risk besides permanent housing.
- Publish the findings of the Public Prosecutor’s investigation into the circumstances leading to the deaths and injuries in the rockslide, and bring to justice and persons found responsible in fair trials without recourse to the death penalty.
- Set up an independent commission of inquiry to look into the causes of the rockslide, and to evaluate the responses of the authorities to the warnings and in the aftermath of the rockslide. The commission should be empowered to: examine systemic and other failures; make recommendations about adequate reparation; and make recommendations on legislative, administrative and structural reforms needed to prevent further loss of lives.
- Immediately end all forced evictions and enforce a clear prohibition on forced evictions. Ensure that no evictions, including those from state-owned land, are carried out unless and until the procedural protections required under international human rights law are in place. House demolitions should not be a pre-condition for relocation.



## 2. THE FATAL AL-DUWAYQA ROCKSLIDE

**"I was woken up by the sound of the rockslide. As I opened the flat's door I felt the entire house was flying."**

Ahmed Gharib Hamed

The fatal 6 September 2008 rockslide in Al-Duwayqa took place along a scarp about 140 metres long and 25 metres wide. According to the NARSSS, the boulders that cascaded down on the communities below weighed at least 18,000 tons and affected more than 6,500 square metres. Residents say that about half of the 97 buildings officially counted by NARSSS as destroyed – using satellite images – were two- or three-storey brick houses.<sup>26</sup> The rest were small rooms, most located near the wall of the hill. A few buildings had a dozen or so rooms, each hosting on average a family of four to five.

### MANSHIYET NASSER INFORMAL SETTLEMENT

Al-Duwayqa and Ezbet Bekhit, which were directly affected by the rockslide, are both in Manshiyet Nasser, one of Egypt's largest informal settlements, hosting around a million people. Residents are mainly Cairo's urban poor and internal migrants from the southern governorates. Most work in the informal sector as artisans, street vendors, construction workers or rubbish collectors, or as daily wage labourers (*orzoqi*).<sup>27</sup>

The residents of Manshiyet Nasser are squatting on state-owned land in desert and not designated for urban settlement. They have been building there and introducing water, sewerage and electricity in an informal way since the 1960s. The government also built official shelters and popular housing there.

Despite the 2006 decrees (see above), basic services in Al-Duwayqa are still mainly provided informally. Residents connect themselves to water pipes and electricity lines. They buy drinking water. They dig holes to remove dirty water.

Upgrading projects in Manshiyet Nasser officially started in 1998 in partnership with GTZ, a German cooperation agency for sustainable development, which has a participatory urban development programme in Cairo. The Manshiyet Nasser Youth Centre, an open-air theatre and a library were inaugurated within this framework, with participation of young people from Manshiyet Nasser.

Children generally go to state schools and residents receive basic health care in public hospitals in Al-Hussein and old Cairo, or from medical caravans. Community-based organizations also provide services such as credit, entertainment for children, awareness-raising for teenagers and literacy classes for women.

Rescue efforts were hindered by the scale of the disaster and the inaccessibility of Ezbet Bekhit. The site of the disaster was trapped between the hill and a 10-metre-high stone structure built to support a railway no longer in use, which barred the passage of large equipment needed to move the boulders.<sup>28</sup>



Officials from local authorities and central government mobilized their resources to deal with the disaster, as did humanitarian and other organizations. Security forces and riot police cordoned off the disaster zone, apparently aiming to prevent the media from reporting further on the survivors' anger at the authorities. A few clashes broke out when the security forces attempted to remove people from the area.

According to reports, 25 people were rescued on the first day. The injured were taken to Al-Hussein and Al-Zahraa hospitals. The Egyptian Red Crescent established a shelter in Manshiyet Nasser Youth Centre, as did the Egyptian army in the nearby Al-Fustat garden. Bodies were transported to a morgue in Zenhoum neighbourhood for identification and collection by relatives.

On the second day the army and the Arab Contractors company broke through the railway structure, but the boulders continued to hinder rescuers. The security cordon was tightened and prevented the media as well as charitable and civil society organizations from reaching the disaster site and the shelters. Charities distributed food, water, clothes and education kits in Manshiyet Nasser with the help of community-based organizations such as the Association for the Development and Enhancement of Women.

On 8 September 2008, the Egyptian Centre for Housing Rights<sup>29</sup> organized a candle-lit demonstration in Talat Harb Square in central Cairo to mourn those who had died in the rockslide. It was forcibly dispersed by security forces and protesters were beaten. A couple of weeks later some of Al-Duwayqa's residents along with civil society organizations and political activists organized a sit-in at the Cairo Governorate building in central Cairo. The protest was dispersed by riot police on the dawn of its third day. The police forced some protesters – who were claiming alternative housing – into small buses and drove them back to Manshiyet Nasser.

Survivors of the disaster believe that many bodies remain buried in Al-Duwayqa. When an Amnesty International delegation visited the site in February 2009 the authorities had already flattened the area, so the true death toll may never be known.

Ahmed Gharib Hamed, a 36-year-old bricklayer and father of three children, lost eight relatives in Ezbet Bekhit during the Al-Duwayqa rockslide: two brothers, three sisters, the wife of his brother Ramadan and her two children. He was rescued by survivors and then saved his six-year-old son Fares, who was wrapped in a mattress. Over the next couple of days he found the bodies of his relatives. All the survivors are deeply traumatized.

Ahmed Gharib Hamed told Amnesty International that he had lived all his life in the family's two-storey house that had been built without permission.<sup>30</sup> His family also owned a grocery shop and had been paying property taxes on both properties. They received a total of EGP3,000 (US\$542) as compensation for their injuries, but nothing for the shop. His mother received EGP5,000 compensation for each of her children who died.

After the rockslide, Ahmed Gharib Hamed was allocated a flat in the Suzanne Mubarak dwellings. However, he has no legal security of tenure as he did not receive any documents confirming that he could rent or buy the flat, or stating for how long he could live there. His mother and surviving brothers also received flats. Ahmed Gharib Hamed told Amnesty International: "We want the site of the rockslide to become a memorial for the martyrs still buried there. It is a painful memory for us."

Since the 1990s, geological studies by official bodies had warned of the dangers posed by Al-Muqattam Hill, which is made of clay and layers of limestone. After the Al-Zabalyn rock fall in 1993, which killed 70 people, national research bodies identified danger zones in Manshiyet Nasser. A joint study in 1997 by the NARSSS and the Geology Survey Authority established a map of areas at risk of rock falls, rockslides and flooding. One of the areas was that devastated by the 6 September 2008 rockslide.

An accumulation of sewerage and chemicals resulting from the decomposition of rubbish left on the hill is believed to have caused the clay to expand, putting pressure on the layers of limestone and eventually resulting in the rockslide. Some experts believe that quarrying by individual contractors on Al-Muqattam Hill also affected its stability.

Despite the 1993 rock fall and the studies that followed, informal building in Ezbet Bekhit continued, some of it no more than 200 metres from the headquarters of the Manshiyet Nasser Neighbourhood Authority. In March 2008 the local authorities classified the rocks up on the hill as high risk, a designation that suggests the authorities should treat the situation as a priority.

Instead, the authorities took only limited steps. About four months before the disaster, local authorities hired a local contractor to secure the rocks. The contractor told Amnesty International that when he started the work, he foresaw the danger of a rockslide and warned the local authorities repeatedly. Rocks also fell during this period, injuring people. The authorities did not pass on these warnings fully to the affected communities or evacuate them. The contractor said official geology experts estimated that the residents of Ezbet Bekhit living as near as 160 metres from the hill's wall were in danger. The Cairo Governor stated after the rockslide that the expert's estimate was of 30 metres only.<sup>31</sup>

It is difficult to establish how much information the local authorities gave to the victims when the danger of rockslide became higher. According to a Cairo Governorate advisor, by July-August 2008 the Governorate had ordered the eviction of 60 families from up the hill (who were not affected by the rockslide) as well as 30 families from lower down the hill, a fraction of those who were later affected by the rockslide. The advisor said the families had refused alternative housing offered to them in Al-Nahda City, about 35 kilometres north-east of Cairo, because it was too far from their sources of livelihood.

Official declarations after the rockslide did not suggest that all the victims were offered temporary housing, but instead described them as unlucky because they were about to be relocated to the Suzanne Mubarak dwellings.<sup>32</sup> Police reportedly made some people sign a statement declaring that they were staying in the area at their own risk; among them were subsequent victims of the rockslide. According to the Egyptian Center for Housing Rights, the victims would have moved into the Suzanne Mubarak dwellings if this option had been put to them and consultation had taken place; offers to relocate residents temporarily to distant areas would have been rejected because residents would have presumed that this would make resettlement in the Suzanne Mubarak dwellings unlikely.

A few days before the rockslide, local authorities warned residents in Ezbet Bekhit to move out or face eviction, according to some survivors. But they were not offered alternative housing or even temporary shelters, so in effect had nowhere to go. In the end, no one was

evicted nor was any attempt made to evacuate the area, even though the nearby and newly constructed Suzanne Mubarak dwellings were available (although the final touches to the flats had apparently not been completed). The residents were warned by workers to leave their homes from 8am until 4pm on working days for their security, as work continued uphill. Many of the residents, particularly women who were caring for children, could not stay out of their homes for eight hours a day. The authorities treated the warnings with nonchalance and the population with fatalism.

Meanwhile, residents in Al-Duwayqa on the other side of the hill had been telling local authorities that they were afraid that their homes would collapse because there were more and more cracks appearing in their walls. About a month before the fatal rock fall, 18 families living in Abu Bakr Al-Seddiq Street in Al-Duwayqa, aided by the Egyptian Centre for Housing Rights, filed a complaint with the office of the Public Prosecutor about the local authorities' inaction. They called for a risk assessment to be undertaken and for alternative housing. The office of the Public Prosecutor took their testimonies but the case was closed. Although none of these families was affected by the rockslide, full investigation into their complaint might have provided further warning about the dangers in the area.

## **RESPONSIBILITIES OF LOCAL AUTHORITIES IN EGYPT**

According to the Law on Local Government of 1979, Governors in Egypt are representatives of the President and oversee implementation of state policies at local level. With the Ministry of the Interior, they are responsible for security and are mandated to propose solutions to the Ministry to face disasters, including natural disasters. Together, they oversee civil defence and fire fighters. Local authorities have the power to take all necessary measures to offer shelter and rehouse people in situations of disasters and provide other relief. The local authorities implement laws and rules on building and demolition.

According to the Law on Building of 2008, local authorities have the power to send expert engineering committees to assess the danger of collapsing buildings to protect lives and property. These can recommend repair or demolition. In both cases the local authorities can issue an administrative eviction order. The Law on Building specifically says that in cases of imminent danger the local authorities must evict the residents and their neighbours if needed, and take all other appropriate measures. In cases where the building is at imminent risk of collapsing, they must immediately evacuate the residents and may demolish the building after obtaining an urgent order from the court. These residents may receive alternative housing.

In the case of Al-Duwayqa, the authorities did not follow this law. Long after they became aware of the risks posed by the instability of the ground, they failed to arrange for the needed expert evaluation, did not take measures for the temporary evacuation or permanent eviction of residents, and did not provide residents of Ezbet Bekhit with alternative housing in order to offer them protection after becoming aware of the danger of the rockslide.

In September 2008 Egypt's Public Prosecutor opened investigations into allegations of negligence and the failure of the authorities to act in time to prevent deaths. Soon after, the contractor hired by the local authorities to secure the hill was arrested by the police and investigated. He was subsequently released without charge.

Senior officials from the Cairo Governorate and Manshiyet Nasser Neighbourhood Authority were investigated. It was reported that they might face a charge of involuntary homicide. The

injured also gave their testimonies while in hospital.<sup>33</sup> However, at the time of writing in September 2009, nobody has been charged or brought to court in relation to the rockslide.

In February 2009, the Public Prosecutor told Amnesty International that investigations into the rockslide had found that there were administrative errors and negligence leading to delays in moving the population.<sup>34</sup> He said that the authorities had tried to resolve the problem of residents building their homes in a dangerous place, but that people had refused to move because they were not offered alternative housing, or the alternative was inadequate in their view.

Gamal Mohamed Hassan, a 48-year-old labourer, told Amnesty International that his brother Hassan Mohamed Hassan and his three children, his two sisters-in-law, and the sister-in-law of his brother Hassan had all been killed in the rockslide.<sup>35</sup> The bodies of his brother's sister-in-law and one of his children were not found. Gamal Mohamed Hassan's arm and leg were injured, and his wife and two children suffered leg injuries.

Gamal Mohamed Hassan says he had lived in Ezbet Bekhit all his life. He informally built a block of three rooms, one of which he rented, and had a small grocery shop.

He was allocated a flat in the Suzanne Mubarak dwellings and moved there about a week after the rockslide. His family received EGP4,000 (approximately US\$720) in total as compensation for their injuries. He said his injuries affected his capacity to work, and now his children sort and clean corn at home and his wife sells it in the street. His mother-in-law, Sayyeda Abdel Salam, a former hospital employee and widow whose flat was destroyed in the rockslide, now lives with her son Yasser in the Suzanne Mubarak dwellings. She explained to Amnesty International that this makes it hard for her married daughters to stay with her as they did previously when they had disputes with their husbands.

As a state party to the ICCPR and the African Charter on Human and Peoples' Rights, Egypt has an obligation to respect, protect and fulfil the right to life. The UN Human Rights Committee has stated that "the right to life has been too often narrowly interpreted. The expression 'inherent right to life' cannot properly be understood in a restrictive manner, and the protection of this right requires that States adopt positive measures."<sup>36</sup>

While governments cannot be held responsible for every situation in which lives are lost because of natural or other disasters, where the authorities have information indicating that there is a real and immediate threat to lives, they should take all necessary measures that could be reasonably expected to prevent or avoid such risks. The right to life also requires states authorities to carry out independent and effective investigations when there are reasons to believe that a violation of the right to life has occurred.

In the case of the Al-Duwayqa tragedy, despite warnings by scientists, by people living in Manshiyet Nasser and by the contractor hired to secure the rocks on the hill, the government failed to evacuate people from the area, provide them with temporary or other adequate alternative housing or give them full information on the possible dangers posed by the hill.



## 3. UNCERTAIN FUTURE: RELOCATION OF SURVIVORS

**“Will they give us contracts for the flats or throw us in the street? We need to know what will happen to us.”**

Azza Sobhy Abdel Salam

Most survivors of the rockslide were relocated to the Suzanne Mubarak dwellings within a few days and are staying there without charge. This positive move was marred, however, by the failure of the authorities to provide the survivors with documents or other guarantees of even a minimum degree of security of tenure. As a result, they live in constant fear that they will be evicted at some point in the future. There were also allegations of irregularities and corruption during the allocation process.

The Suzanne Mubarak dwellings are named after Egypt's first lady, who sponsors upgrading projects in Al-Duwayqa and elsewhere in Cairo. The Al-Duwayqa project was initiated in 1998 with funds from the Abu Dhabi Fund for Development to build 10,000 flats.<sup>37</sup> The Ministry of Housing, Utilities and Urban Development executes the construction of the buildings while the local authorities oversee the allocation of flats to beneficiaries.

According to a Cairo Governorate source, 3,662 flats in the Suzanne Mubarak dwellings had been allocated by 2008 as part of the Al-Duwayqa upgrading project, and the families had moved in. A further 2,000 flats were expected to be finished by the end of September 2008. The Minister of Housing, Utilities and Urban Development suggested that the victims of the rockslide were just about to be relocated to these flats but that “fate” intervened.<sup>38</sup>

The Cairo Governorate reportedly requested the flats from the Ministry of Housing five months before the rockslide, but it is unclear whether the flats were going to be allocated to Ezbet Bekhit residents or to other people in Al-Duwayqa. Neither the survivors nor people who continue to live in Ezbet Bekhit interviewed by Amnesty International knew that they were about to be moved to the 2,000 flats in the Suzanne Mubarak dwellings.<sup>39</sup>

After the rockslide, priority was given to those affected by the disaster.

Zaynab Al-Shahat Mohamed Khedr, a divorced mother of four grown-up children, survived the rockslide. She told Amnesty International that she and her daughter Hoda, a divorced mother of four, stayed 17 days at the site of the rockslide – searching for survivors - before being allocated a flat each in the Suzanne Mubarak dwellings.<sup>40</sup> Her daughter Ghada, a divorced mother of two, and her son Essam, who has mental health problems, did not get a flat.

Zaynab Al-Shahat Mohamed Khedr, who now sells grilled corn, said that she moved to Ezbet Bekhit to avoid her former husband, who used to attack her while selling vegetables in the Cairo market of Rod Al-Farag. He



could not accept the idea of having a son with a disability and she was divorced in the 1980s.

In the days following the rockslide, shock and confusion prevailed. Anyone who said they had survived was admitted into the Egyptian Red Crescent shelter. Reports by official bodies and survivors suggest that some of those in the shelters were actually from neighbourhoods in old Cairo who wanted to be allocated a flat in the Suzanne Mubarak dwellings.

Corruption by local officials was also reported. An official from Manshiyet Nasser Neighbourhood Authority was arrested on 13 September 2008 for adding names of relatives to the list of people affected by the rockslide.<sup>41</sup> Local political figures reportedly sold letters recommending people for alternative housing.

By 10 September the relocation process had started. People were given housing letters and flats at the Suzanne Mubarak dwellings. Housing letters state the name of the beneficiary and the circumstances of the loss of the original home. They are signed by the enumeration committee official and addressed to the housing department at the governorate. These letters were retrieved by the Neighbourhood Authority once people moved into their new flat, leaving them without any documentary proof of the allocation. Those who did not receive a flat and did not want to leave the Egyptian Red Crescent shelter were reported to have been forcibly removed by riot police.

By the end of October 2008, a deputy governor of Cairo said that 1,783 families had been allocated flats. This number includes those who were evicted from homes deemed unsafe because of the rockslide.<sup>42</sup>

More flats were allocated to people who were evacuated from their homes because they were living in areas considered to be unsafe during the following months. By mid-March 2009, some 4,005 flats had been assigned.<sup>43</sup>

Arafat Hassan Mustafa and his wife Aisha, their three children, one son-in-law and one granddaughter were evicted from their house on 8 September 2008 along with 35 other families in Ezbet Al-Arab area near Al-Duwayqa. Without warning, security forces surrounded the area, counted the residents and forced them out of their homes. The families were given no time to take their possessions and did not know where they were being relocated.

Arafat Hassan Mustafa's family was moved to the shelter in Manshiyet Nasser Youth Centre, where they stayed for nearly a week before being given a two-bedroom flat in the Suzanne Mubarak dwellings. The authorities told Arafat Hassan Mustafa that his home had to be demolished to allow the demolition of another home deemed unsafe on the hill.

Arafat Hassan Mustafa has no document for the flat he currently lives in. When Amnesty International met him, he was not having to pay rent or electricity and water bills.<sup>44</sup> This situation made him feel insecure. He appealed to the Neighbourhood Authority in November 2008 requesting additional flats for his married and divorced daughters. Given their new situation, his son Hassan had to postpone his wedding. He works as a tailor's assistant and became the breadwinner of the family after his father suffered slipped discs.

As highlighted below, forced evictions left many families homeless because their names did not appear on the list of people to be allocated a flat, often because of irregularities in the work of enumeration committees.

In some cases, divorced women – often with children – were not counted as a separate family unit so were rehoused with their parents or other family members.

## ENUMERATION COMMITTEES

Enumeration committees are usually made up of officials from the Neighbourhood Authority and may also include an official from the governorate. Their function is to count and list the population of a given area. These lists are then used to allocate alternative housing.

However, the committees do not appear to have written criteria for identifying residents, and the officials use their discretion to assess whether or not somebody actually does live in the area or are only pretending to do so to benefit from alternative housing. It has been reported that enumeration committees look to see if kitchen utensils have been used and food is present – and even check for women's underwear at their place.

Official documents required to prove the exact place of residency in these informal settlements seem to have been informally established by the local authorities, but these often fail to provide the exact address of the bearer. While visiting Haret Ahmed Nader and Al-Shohba area in Al-Duwayqa, Amnesty International received from residents lists of recognized official documents handwritten on A4 paper without any signature, date or indication of their originators.<sup>45</sup> These were given to them by enumeration committee employees. Such documents include an identity card; a birth certificate, vaccination card or letter from the school for children; a court decision or a police report; a driving licence; electricity or water bills; a food rations card; a certificate for paying property tax; a marriage or divorce certificate; and proxy papers for women whose husband is absent or whose father is gravely ill.

Some of these are clearly discriminatory against women, particularly those who are separated. Al-Duwayqa residents told Amnesty International that women whose husbands have left them but who remain married are invariably left homeless. Women should not be discriminated in the allocation of housing.<sup>46</sup>

Even identity cards do not always provide the exact place of residence. In fact, many people would rather not have Al-Duwayqa on their identity card in order to avoid stigmatization and police suspicion at checkpoints. Residents often cite their previous address, for example in another Cairo neighbourhood or their province of birth.

Since 6 September 2008 the Ministry of Interior has not issued new identity cards which cite an address in Manshiyet Nasser, apparently to prevent the holders from claiming alternative housing. No formal decision was published in the Egyptian official journal and it is unclear how long this situation will continue. Only those who want to renew their old identity card – with the same address in Manshiyet Nasser – are issued a new card.

A group of women from Al-Duwayqa told Amnesty International that because they cannot get identity cards it has become more difficult for them to obtain a pension, take exams for literacy classes, register children in schools, or receive birth certificates with their place of residence in Manshiyet Nasser.<sup>47</sup> Generally, identity cards are necessary for such administrative issues. Each citizen is expected to show his/her identity card if requested by

official authorities, otherwise they can be arrested and fined. The cards are also needed for accessing high education, employment or to participate in elections.

The current practice of refusing to issue new identity cards discriminates against the residents of Manshiyet Nasser and negatively impacts on their enjoyment of their civil and political rights as well as their economic, social and cultural rights.



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*top:* A hillside in Establ Antar, 5 August 2009. The rubble is all that is left of homes that were destroyed by the authorities. Remaining residents live in constant fear that their homes may be next.  
*bottom:* Ezbet Bekhit after the September 2008 Al-Duwayqa rockslide, 16 August 2009.



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*top:* Zaynab Al-Shahat standing outside her new home in the Suzanne Mubarak dwellings with her daughter Hoda, her grandchildren, and a boy from the neighbourhood, 9 August 2009.  
*bottom:* Children stand in the ruins of demolished homes in Establ Antar, 5 August 2009.  
*right:* The residents of Atfet Al-Moza in Al-Duwayqa built wooden homes on the rubble of their demolished homes after the authorities did not offer them alternative housing in the Suzanne Mubarak dwellings, seen in the background. Picture taken on 3 August 2009.











Haret Ahmed Nader and its surroundings, 9 February 2009. Since the Al-Duwayqa rockslide, residents of Haret Ahmed Nader have lived in constant fear of further rock falls.





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*top:* Fathy in Haret Ahmed Nader area of Al-Duwayqa, 9 February 2009.

*bottom:* The Suzanne Mubarak dwellings in Al-Duwayqa, 9 February 2009.

*right:* Ahmed Gharib with baby Mohamed and his other son Fares, at their flat in the Suzanne Mubarak dwellings, 9 August 2009.



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*top:* The view from the room of Shirihan Hamdi Mohamed Ahmed in Al-Shohba area of Al-Duwayqa, 9 February 2009. She told Amnesty International that the wooden ceiling of her room had collapsed after a rock fall.

*bottom:* A home in Haret Ahmed Nader, 9 February 2009. Despite their difficult living conditions, some residents of Haret Ahmed Nader have decorated their rooms with drawings and popular sayings.

## 4. WAVES OF EVICTIONS

In the days after the rockslide, the authorities evicted residents in order to demolish buildings around the site of the rockslide. Officials identified 12 danger areas in Al-Duwayqa and the rest of Manshiyet Nasser, and in late October a deputy Governor of Cairo announced that 1,025 houses had been demolished.<sup>48</sup> Most of the evictees were given flats in the Suzanne Mubarak dwellings. As of March 2009, reports indicated that six areas had been secured and operations were under way in the remaining areas.<sup>49</sup>

The authorities also turned to the surrounding houses built on the hill, which they deemed to be at risk from rock falls. It is not clear, however, whether these houses needed to be demolished immediately. Shelter housing (*masakin ewa*) that had been built up the hill by the authorities in Wahayed, Etninat and Talatat was also demolished; some of the residents said they did not receive alternative housing. The evictions generally took place in the presence of security forces, with little or no time given for residents to remove their possessions.

The identification of areas by the authorities where other residents were in danger is a positive step, and the risks posed to the residents may have made their temporary relocation necessary. As the UN Committee on Economic, Social and Cultural Rights emphasized, in such cases and others where an eviction is considered to be justified, "it should be carried out in strict compliance with the relevant provisions of international human rights law and in accordance with general principles of reasonableness and proportionality".<sup>50</sup> While the government may have needed to evict some people immediately after the rockslide to ensure their safety, and in this circumstance it was not reasonable and proportionate that it could carry out prior consultation and put mandatory procedural safeguards in place, it was still obliged to ensure these requirements were met as far as possible after people were moved. This should have included, at a minimum: consultation on resettlement options; adequate alternative housing and relocation sites in terms of security of tenure, location and availability of infrastructure; compensation for all losses; and access to legal remedies for violations.

As with the survivors of the disaster whose homes were destroyed, people who were subsequently evicted and then rehoused in the Suzanne Mubarak dwellings were not given any official documentation to confirm their tenancy, ownership or occupation of the flats. Many also complain of overcrowding in their new homes.

Because of irregularities and reported corruption, some people who were not affected by the rockslide were allocated flats while some of those evicted, for example from Etninat and Talatat, were left homeless. Many people found it difficult to prove they had been evicted, particularly after the authority in charge of allocating flats discovered that some people had obtained documents falsely showing that they had been evicted. The authority responded by doubting or refusing most applications.

## FORCED EVICTIONS

The UN Committee on Economic, Social and Cultural Rights defines a forced eviction as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of and access to, appropriate forms of legal or other protection.”<sup>51</sup>

Egypt is obliged under a range of international human rights treaties, including the ICCPR, ICESCR and the African Charter on Human and Peoples' Rights, to refrain from and prevent forced evictions.<sup>52</sup>

The Committee on Economic, Social and Cultural Rights emphasized in its General Comment 7 that evictions may be carried out only as a last resort, once all other feasible alternatives have been explored. It clarified that evictions can only be carried out when appropriate procedural protections are in place. These include:

- an opportunity for genuine consultation with those affected;
- adequate and reasonable notice for affected people prior to the eviction;
- information on the proposed evictions and, where applicable, on the alternative purpose for which the land or housing is to be used, to be made available in reasonable time to all those affected;
- government officials or their representatives to be present during an eviction;
- everyone involved in carrying out the eviction to be properly identified;
- evictions not to take place in particularly bad weather or at night unless the affected people consent otherwise;
- provision of legal remedies;
- provision, where possible, of legal aid to people who are in need of it to seek redress from the courts.<sup>53</sup>

Adequate alternative housing and compensation for all losses must be made available to those affected, regardless of whether they rent, own, occupy or lease the land or housing in question. Evictions must not “render individuals homeless or vulnerable to the violation of other human rights”.<sup>54</sup>

The Committee also emphasized that when an eviction is considered to be justified, “it should be carried out in strict compliance with the relevant provisions of international human rights law and in accordance with general principles of reasonableness and proportionality”.<sup>55</sup>

The prohibition on forced evictions does not apply to evictions carried out in accordance with the law and in conformity with the provisions of the international human rights covenants.

Work to secure the slopes of Al-Muqattam Hill has also resulted in the collapse of squatters' rooms, as in Atfet Al-Moza, leaving many people homeless.

Egypt's Civil Code allows the local administration to order the eviction of people occupying state-owned land such as Manshiyet Nasser. Article 970 states: “It is forbidden to infringe on the property mentioned in the paragraph above [state-owned property]. In case of

infringement the mandated minister has the right to remove it administratively." In addition, Article 26 of the Law on Local Government states: "The Governor may take all measures in order to protect both public and private properties of the state and remove any infringements administratively." No guarantees against forced evictions are provided in these instances.

From the cases studied for this report, it appears that there was no attempt to identify alternatives to eviction and no prior consultation on alternative housing or compensation. Affected communities were not given notice in writing of eviction orders, according to all the people interviewed by Amnesty International. The lack of formal written notice undermines the affected population's ability to appeal against such an order before an administrative court. In fact, such appeals before administrative courts would not have automatically suspended the orders as only a court ruling can suspend them. This may be subject to long delays, leaving people in limbo for years.

In general, evictions have been carried out in the presence of security forces with little or no warning. Sometimes the affected community has heard of a possible eviction but has not known its exact date. In many cases, people were not given enough time to remove all their possessions, and their homes or rooms were demolished before they were relocated to alternative housing.

At the end of September 2008, Mustafa Mohamed Al-Leithy, a 61-year-old father of six, was forcibly evicted with his family and had his home and workshop demolished in Ezbet Bekhit. He says the building had not been affected by the rockslide.

After years of working in Iraq, he returned to Egypt in the 1980s and built a family house above a metal processing workshop. He told Amnesty International that the factory, which had been running since 1992, employed 12 workers and his sons. All of them lost their jobs as a result of the demolition.<sup>56</sup>

After the rockslide, Mustafa Mohamed Al-Leithy and two other factory owners in the area refused to clear their factories. Local authorities inspected his factory and issued him with a report describing its measurements and contents. However, he was not told when and how the eviction would take place. In late September, without warning, security forces surrounded the area, forced all the occupants out and demolished their factories and homes with bulldozers. They were not given time to salvage their personal belongings.

Mustafa Mohamed Al-Leithy's family stayed at relatives' homes until they were given a two-bedroom flat in the Suzanne Mubarak dwellings a few days later. Mustafa Mohamed Al-Leithy has sought compensation for his losses but so far has faced obstruction and bureaucracy.

In late September and early October, 90 families were forcibly evicted from Etninat and the Talatat shelter housing area in Al-Duwayqa. The families reportedly vacated their homes or rooms voluntarily, expecting to be relocated to the Suzanne Mubarak dwellings as others from their area had been before them and the Neighbourhood Authority official overseeing the eviction had given them housing letters. However, many remained without alternative housing for months. Some put up tents on the rubble of their demolished homes, awaiting rehousing. They were later forcibly removed from the tents.



Khaled Ma'rouf Mohamed, a 34-year-old car upholsterer, used to live in a room next to his father's flat in the Talatat shelter housing, where his father was relocated in 1991. He told Amnesty International that on the morning of 27 September 2008, he was forcibly evicted by the Neighbourhood Authority without warning along with 46 other families.<sup>57</sup> Expecting to receive alternative housing within a couple of days, as others had from the same area, he participated in the demolition of his room. He was given a letter by the neighbourhood engineer overseeing the eviction, informing the Housing Department at the Cairo Governorate that he lived in a room and that demolition was under way after he had cleared his possessions. When Khaled Ma'rouf Mohamed went to get alternative housing, however, his name was not listed. He put up a tent on the rubble of his room but was also forcibly evicted by the police.

In late 2008, the evicted people organized a sit-in in front of the Cairo Governorate, after which Khaled Ma'rouf Mohamed's father was allocated a flat in the Suzanne Mubarak dwellings. Khaled Ma'rouf Mohamed is staying with his father awaiting a flat. He says this situation of uncertainty has left his wife and him shaken.

As shown above, the imprecise logs made by enumeration committees, as well as the difficulties residents face in providing official documents supporting their claims, has opened the door to abuses of the system of allocating flats to people evicted from their homes. In many cases, people resort to corruption to obtain alternative housing, for which they may or may not have a claim.

## LAW FOR SQUATTERS OF STATE-OWNED LAND

Most residents of Al-Duwayqa are squatting on state-owned land. They can therefore be evicted under an administrative decision by local authorities. According to Article 372bis of the Penal Code, building on state-owned land can be punished by a prison term, a fine and demolition of the building in question, without providing for the procedural safeguards necessary for evictions to comply with international human rights standards. While imprisonment appears to be rare, the threat of forced eviction is widespread, whether through an administrative eviction order by the local authorities, or by a court decision.

For example, Manal Al-Iraqi and her children were forcibly evicted from a room in Al-Shohba in December 2005. Her room was demolished along with others and she was arrested. She told Amnesty International that Manshiyet Nasser Neighbourhood Authority had filed a case against her in March 2005 for building without authorization a tiny room (four square metres), which cost her EGP120 (approximately US\$20) to construct. She said she was offered alternative housing in Al-Nahda City, but refused because it was too far away. She added that she was threatened with eviction but resisted. The Neighbourhood Authority told her that they would demolish her room with her inside, if need be.<sup>58</sup>

On 24 December 2005, a court of misdemeanour sentenced her in her absence to one year's imprisonment and a fine of EGP200, and ordered the demolition of her room. The decision was executed and she was arrested. A few days later, she appealed against the court ruling with the help of lawyers from the Egyptian Center for Housing Rights, challenging the constitutionality of Article 372bis of the Penal Code. The judge referred the matter to the Constitutional Court and Manal Al-Iraqi was released.

On 25 February 2006, the court upheld the decision to demolish the room and raised the fine to EGP500 (approximately US\$90). On 8 May 2006, a higher court suspended the case until the Constitutional Court had examined the constitutionality of the article in question. The case remains pending. Manal Al-Iraqi has since moved into the home of her father-in-law.

## ESTABL ANTAR

**"Either I stay in 6 October City and life is tougher and rent is high, or I return here [to Establ Antar] and accept the loss of my [original] home."**

Habiba Abdel Aty

**"Those behind me and beside me were demolished but I live in fear."**

Hanafy Mahmoud Farag

In late September 2008, the authorities turned their attention to another informal settlement, Establ Antar, in Dar el-Salam and El-Basatin neighbourhood, in the south of Cairo. The two- and three-storey red-brick houses there were built informally on and below Al-Zahraa Hill, state-owned land that had been squatted. The authorities believed the area was at a similar risk of rock falls as the rest of Al-Muqattam Hill and began to forcibly evict residents and demolish houses without prior consultation, adequate prior notice and other procedural safeguards. In May 2009, Cairo Governorate announced that 173 houses had been demolished and 745 families relocated to alternative housing. More evictions and relocations have followed.<sup>59</sup>

Establ Antar grew in the 1980s and inhabitants have generally been able to informally or formally connect to water pipes and electricity lines. Some areas are connected to a sewerage network, although houses built on the limestone and clay rock generally are not and residents dig trenches.

Hanafy Mahmoud Farag, a mosque employee and father of four, told Amnesty International that he has been living in Establ Antar for 20 years.<sup>60</sup> He informally built his two-floor house on the fringe of the hill after he moved from Manshiyet Nasser. He has been paying property taxes and electricity and water bills. There is no sewerage system so he has dug a trench in the rock like everybody else, which affects the rock layers of the hill. He is aware of the decision to evict people living in houses on the fringes of the hill. As a state employee he concedes that he can find a job in a mosque elsewhere but feels he has made a life for himself in Establ Antar.

As the rock is part of Al-Muqattam Hill, sewage water represents a threat to the residents of Al-Zahraa Hill. Some rocks reportedly fell in the area following the Al-Duwayqa rockslide and the Egyptian authorities have identified it as a danger zone. The authorities did not immediately evict all residents in danger, as in Al-Duwayqa, but evictions have continued through 2008 and 2009.

Even though the authorities had more time to plan these evictions, they have still failed to respect the rights of residents and the safeguards required under international human rights law. Most of the affected 745 families, according to official sources, were relocated some 30 kilometres away to the Orascom dwellings in the 6 October City, south-west of Giza, without adequate notice and without any attempt to consult them. Eviction decisions were announced orally, not in writing, and with less than a week's notice, and there was no means of appealing. Generally, the evictions took place amid a heavy security presence, leaving no possibility of negotiation for the residents. In some instances, residents were told they had to demolish their homes themselves if they wanted to be relocated.<sup>61</sup>

For many of Establ Antar's residents, the alternative housing offered in the Orascom dwellings has been inadequate, particularly in terms of location and lack of security of tenure. Those relocated say prices are higher for food and transport, health services are not affordable for all, and work opportunities are rare for them. The livelihoods of many of those relocated depended on the informal sector where they lived in Establ Antar, but travelling back there is costly and time-consuming.

Documents confirming the type of tenure arrangement had not yet been issued to most people and they remain concerned about the risk of possible evictions in the future. Some people have received a notice stating that they have received a flat and quoting a rent of EGP120 (approximately US\$20) excluding bills. It appears that no one has yet been asked to pay rent.

Om Rasha, aged 38 and married with four children, including an eight-year-old girl living with mental and physical disabilities, has been struggling since she was forcibly evicted from Establ Antar in December 2008 and relocated to the remote 6 October City. They were given just three days' warning of the eviction, and when they saw bulldozers coming down the street had just enough time to pack their possessions.

She told Amnesty International that she cannot find affordable therapy for her daughter in 6 October City, and cannot work as she has to take care of her.<sup>62</sup> Her husband works as a porter and it is harder for him to find a job in 6 October City as it is far from his social networks. Food is more expensive and transport costs back to their community in Establ Antar drains their meagre budget.

Om Rasha said she had been living in Establ Antar for 14 years with her in-laws, in a four-storey house with the hill at its back. They had been paying property taxes and had water, electricity and sewerage connections. She now lives in a two-bedroom flat without any documents to confirm her tenure status.

## ATFET AL-MOZA

On one day – 4 June 2009 – the Manshiyet Nasser Neighbourhood Authority evicted 28 families, around 140 people, living in Atfet Al-Moza Street, close to the Al-Herafyyin area in Al-Duwayqa. Their rooms, built of bricks and cement and sitting on the slope of the hill, overlooked the Suzanne Mubarak dwellings.

According to the families, from April 2009 engineers from the Neighbourhood Authority had been smoothing out the side of the slope where they were living by adding layers of sand. The engineers said this would protect the area from rock falls. But the operation caused more cracks to appear in the walls of residents' homes and they feared the structures would collapse. In fact, some abandoned their homes a few days before the eviction. When they notified the Neighbourhood Authority and tried to stop the engineers' work, officers from the Manshiyet Nasser police threatened to arrest anybody who hindered the work and abused the complainants verbally.

The residents continued to warn the authorities over the next two months that their rooms were in danger of collapsing. The Neighbourhood Authority responded by evicting them on 4 June 2009 and demolishing their rooms. They were told that they would receive within days alternative housing in the adjacent Suzanne Mubarak dwellings.

Adel Ahmed Mohamed, an archaeology restoration engineer, lives with his wife and child in Atfet Al-Moza in a tent he put up on the rubble of his old room. He has electricity, via an illegal connection, and was able to power his old computer. But he does not have access to safe drinking water or sanitation. He told Amnesty International that he had been living in Atfet Al-Moza for 10 years paying property tax.<sup>63</sup> He said that many of the apartments in the Suzanne Mubarak dwellings were empty so he could not understand why his family has to live in the street.

Before the demolitions, enumeration committees had come several times to Atfet Al-Moza to count the population. This procedure normally takes place shortly before the allocation of alternative housing, so the families cleared their rooms and waited in the street for relocation. However, all remained in the street, living in tents, until early August, when some of the families were relocated. At least 15 families continue to wait in despair and remain homeless.

Atfet Al-Moza's tent-dwellers told Amnesty International that they fear snakes in the night, attacks by drunkards and threats to young women. They also said they have no form of sanitation, so use their neighbours' toilets or the hill, and have to buy drinking water.

Insherah Mahmoud Mohamed, a widow in her fifties, told Amnesty International that since 2007 she had been renting a room where she lived with her divorced daughter Hoda Elsayed Ahmed. After some homes were demolished she feared for her safety and cleared her room before it too was bulldozed. She set her furniture on one side of the narrow street of Atfet Al-Moza, where she has slept since the eviction. She complained about the lack of toilets. Hoda Elsayed Ahmed also remains in the street but sometimes stays with her married sisters as she fears for her two small daughters, Ayat and Samia. She told Amnesty International that she asked the Manshiyet Nasser Neighbourhood Authority for alternative housing but was told that as long as her family was living in a tent they would not be relocated.<sup>64</sup> They were offered no other option.

Families in Atfet Al-Moza who refused to leave their rooms decided to continue living in them, particularly after they saw that some people who left their homes did not obtain alternative housing. They say they would rather die under the crumbling walls of their rooms than be homeless.

In Atfet Al-Moza, there were indications of increased risks and residents have complained to the authorities and requested help, but the response has been slow and inconsistent. The authorities have failed to set up any process to relocate people and ignored their complaints over a period of time and then had their homes demolished, without any warning or consultation.

Amal Mohamed, a mother of three children, told Amnesty International that since 1992 she had been renting the room in Atfet Al-Moza where she lives with her husband.<sup>65</sup> Her husband works as a street trader and moved to Cairo from a village near Al-Zaqaziq in northern Egypt. One of Amal Mohamed's daughters was born in Al-Duwayqa. The walls of their room, which is just big enough for a double bed, are cracked as they absorb dirty water that runs nearby. The couple complained to the Manshiyet Nasser Neighbourhood Authority, and were told that if they feared for their lives they should clear the room. They said they would rather risk death than sleep in the street.

As this chapter has highlighted, the Egyptian authorities did not respect international human rights standards on evictions. People's homes were demolished without prior warning or

notice and without any attempt at consultation on resettlement options prior to or after the evictions took place. In many cases documented by Amnesty International, evictions took place many months after the danger areas were identified; no attempt was made to set up any kind of process to consult the affected communities and to respect other due process requirements in the intervening months. The authorities did not explore any alternatives to evictions in consultation with the affected communities or provide them with information indicating why the evictions were unavoidable. Many of those evicted were given alternative accommodation, but some remain homeless and others, particularly women who are divorced or living separately from their husbands, experienced discrimination in the allocation of alternative housing. All those who were given alternative housing do not have security of tenure. The families relocated to 6 October City are struggling because they were moved far from their social networks, schools and sources of livelihood.

## 5. LIVING IN FEAR: AREAS STILL AT RISK

At least 140 families in the Haret Ahmed Nader and Al-Shohba areas are living in overcrowded and crumbling rooms built informally on the many slopes of Al-Muqattam Hill in the area known as Al-Herafyyin in Al-Duwayqa. They told Amnesty International that they would rather live in danger than sleep in the streets with their children, but are haunted by the Al-Duwayqa rockslide. They want the authorities to promptly allocate them flats in the nearby Suzanne Mubarak dwellings. When asked why they do not move to safer areas, they said they could not afford to. In fact, even if they were to move, others would probably take their place because of the scarcity of affordable housing options in Cairo (see below Unsafe Areas in 2050 Greater Cairo Plan).

The families in Haret Ahmed Nader and Al-Shohba have told the local authorities of the risk to their lives and the likelihood of rock falls. Manshiyet Nasser Neighbourhood Authority believes that these families are squatters pretending to live in these areas in order to be allocated alternative housing. While this may be true for some people, it cannot apply to all, especially those who settled there before the upgrading of Al-Duwayqa started in 1998 or before the Manshiyet Nasser Neighbourhood Authority was established in the early 1990s.

### HARET AHMED NADER

**"If I ask my daughter to go to buy some bread she is in danger. She needs a safer place."**

Horriya, a 30-year-old woman caring for six children in Haret Ahmed Nader

Many of the estimated 70 families who live in Haret Ahmed Nader believe that a rock fall will happen before the authorities relocate them. Their tiny rooms sit precariously on the slopes that descend from the higher Al-Herafyyin, areas among the danger zones identified by official studies. As with most people living in Manshiyet Nasser, they are squatting on state-owned land.

The rooms stand on layers of rock and cement, with the hill's treacherous rocky slope at their back. They are damp and overcrowded, with little ventilation and plagued with flies. They have no tap water: water is collected from a pipe not officially linked to the mains. Electricity is generally available but connected to the area informally. Most rooms have a hole for a toilet leading to trench that must be emptied periodically. Residents' attempts to introduce a sewerage system have failed.

Sabrin Hamed Abul 'Elah, her husband Ibrahim, who works as car mechanic in Al-Duwayqa, and their four children, live in a small room in Haret Ahmed Nader. She told Amnesty International that 10 years ago she bought her plot of land informally for EGP1,500 (about US\$270) from somebody who had settled there unofficially.<sup>66</sup> She then subdivided the plot and added a second room. She pays property tax every year.

After she met Amnesty International delegates in February 2009, she went with others to Manshiyet Nasser Neighbourhood Authority to demand a flat in the Suzanne Mubarak dwellings. She said they were dispersed by

the police and told that the authorities would find them alternative housing.

A few days later an enumeration committee came to Haret Ahmed Nader, listed the residents and told them to pack their belongings. Since then, nothing has happened. The Neighbourhood Authority warned Sabrin Hamed Abul 'Elah and others that if they spoke to human rights organizations, they would be relocated to the new urban city of Al-Nahda, north-east of Cairo, which would make their lives extremely difficult given its distance from their social networks. The family income of Sabrin Hamed Abul 'Elah is around EGP30 a day, (approximately US\$5.5), so she could not afford to pay EGP10 every day for the family to travel from Al-Nahda to Manshiyet Nasser, where the children go to school and her husband works.

Sabrin Hamed Abul 'Elah lives in fear. She told Amnesty International that nobody in Haret Ahmed Nader believes they will be relocated to the Suzanne Mubarak dwellings before rocks come crashing down on them.

Enumeration committees have come to Haret Ahmed Nader many times, but there is no sign that the families are about to be rehoused. None wants to be relocated to Al-Nahda City, as threatened, because of its distance from their social networks and livelihood. Many residents depend on the informal economy in Haret Ahmed Nader.

Senaya Ahmed Nader Abdel Gawad, a 35-year-old widow and mother of four children, is the daughter of the man after whom the street is named. She rents rooms to other residents of Haret Ahmed Nader and has a small shop. She told Amnesty International that she also fears for her safety. She said that the enumeration committee counted her room but not her shop, so she will lose the shop's income if she is relocated.<sup>67</sup>

## AL-SHOHBA

**“One gets scared standing under this hump; we sleep underneath it... We are endangering the life of our families when in bed... How can a child be brought up in such a place? What, we clear the place [homes] and sit in the street?”**

A woman who lives in Al-Shohba

At least 70 families live in Al-Shohba (also referred to as “monkey hill” by local authority employees). Their rooms are built on a steep slope of Al-Muqattam Hill, making it particularly difficult for residents to informally connect water pipes or even attempt to create a sewerage system. Holes linked to a trench are used as toilets and are shared by many families. Connecting informally to electricity supplies has been easier. The rooms are generally tiny and are often home to families with many children.

Shirihan Hamdi Mohamed Ahmed told Amnesty International that by the end of January 2009 the wooden ceiling of her room, which is up the slope in Al-Shohba, had collapsed because of a rock fall.<sup>68</sup> At the time she was pregnant and called the ambulance but it refused to come. She requested alternative housing from Manshiyet Nasser Neighbourhood Authority but without success – apparently none of the official documents she has indicate her exact address in Al-Shohba.

In late January 2009, residents of Al-Shohba reportedly complained to the Cairo Governorate and Manshiyet Nasser Neighbourhood Authority about the danger of rock falls. An enumeration committee visited the area and counted the population, but no subsequent

measures were taken. Residents also warned of the danger of fires, as wind has caused electricity lines to cross, creating sparks that set fire to the wooden roofs of some buildings.

Hussein Mahmoud Morsy, a 52-year-old retired army officer, said that he has been living in Al-Shohba for 14 years in a three-room block with his wife and three children. He and his relatives have been living in Al-Duwayqa for decades. When the Manshiyet Nasser Neighbourhood Authority was established, a few services became available to some areas but not theirs. He buys a 20-litre jerry can of water for 50 piasters (EGP0.5 – about US\$0.10), but the water is not always clean. He has a trench to catch dirty water, which is emptied every month for EGP40-50. He complained to Amnesty International about the overcrowding and the lack of privacy as everyone in the family is forced to sleep and live in the same space.<sup>69</sup>

Residents told Amnesty International that police reports have been used to threaten them with forced eviction. They said that police in plain cloths pretend to be enumeration employees to gather information and papers from them. Police reports cover issues such as building on state-owned land and illegal electricity supplies. Usually the population pays a fine or bribe so they can continue to live in Al-Shohba. According to the Neighbourhood Authority, many evictions and house demolitions have been carried out in Al-Shohba, but rooms have been rebuilt by other people in the hope that they will be offered alternative housing.

Intisar Abdel Meguid, whose husband abandoned her, says she has lived with her five children for 11 years in Al-Shohba. Mohamed, her 14-year-old son, earns money in a workshop to keep the family. He is the only one of her children who does not go to school. As a woman, she feels vulnerable as she fears fights in the street by men. At 6am every day she collects water from a workshop in the Al-Herafyyin area in Al-Duwayqa. Women have to queue for up to an hour, and then walk for 15 minutes back to their rooms, carrying the water on their heads. Intisar Abdel Meguid also complained to Amnesty International about the toilets, which are in the rooms where they sleep.<sup>70</sup> Enumeration committees have come and taken the names of Al-Shohba's residents, but no one has been allocated alternative housing. She fears that the police will report them for squatting on state-owned land.

## UNSAFE AREAS IN 2050 GREATER CAIRO PLAN

The Ministry of Housing, Utilities and Urban Development has devised a master plan for the Greater Cairo region in 2050 and announced its main features in 2008.<sup>71</sup> The 2050 Greater Cairo plan outlines a vision for the development of the region to become a “competing city at the local and international levels” and to improve the conditions of life, including those living in poor areas, so that Egypt is in the top 30 developed countries in the world by 2050, rather than at its current position of 111th.<sup>72</sup>

A key issue is how it plans to address informal settlements. It aims to reduce the city's population density by relocating residents to 2.5 million housing units to be constructed. It divides informal settlements into two categories: a majority of “unplanned areas”; and 26 “unsafe areas”<sup>73</sup> that need to be dealt with within 10 years. This raises questions about prioritization. The plan says that both categories will be “developed”. From the examples, it appears this will involve evictions, especially for the “unsafe areas”. All of Manshiyet Nasser would be converted to gardens and tourist accommodation.<sup>74</sup>

As no consultations seem to have taken place with the affected communities, let alone active participation, some human rights organizations have expressed their fear that such plans will



lead to forced evictions. The residents of “unsafe areas” are therefore living with a double threat: lack of safety and possible forced eviction.

The main orientation of the plan points to the “redistribution” of Cairo's population to its outer fringes, mainly 6 October City and Helwan governorates. It projects the creation of new urban cities, including two with a population of around 1 million each, and the expansion of existing new cities to host a total of around 20 million of Greater Cairo's projected population of 30 million in 2050. The plan also includes major projects to expand transport networks, including roads and the underground train system, water and sanitation networks, and gardens, to build a new government complex and universities, and to invest in tourism and industry.<sup>75</sup>

## 6. CONCLUSIONS AND RECOMMENDATIONS

Amnesty International's research into the September 2008 rockslide at Al-Duwayqa and subsequent measures taken by the authorities has revealed many shortcomings, especially in relation to the state's obligation to protect the lives of residents in unsafe areas and to guarantee their right to adequate housing.

Many parts of Manshiyet Nasser remain at risk of rock falls, but no attempts have been made to consult the affected communities about their resettlement or to find sustainable solutions. Families living in Haret Ahmed Nader and Al-Shohba in Al-Duwayqa, for example, continue to live in great fear on the dangerous slopes of Al-Muqattam Hill and in practice have nowhere else to go.

On 18 October 2008, President Mubarak decreed the establishment of the Informal Settlements Development Facility, a fund run by the Prime Minister's cabinet and mandated to coordinate government efforts to deal with informal settlements in Egypt. The head of the fund informed Amnesty International by letter that they were prioritizing informal settlements in unsafe areas, which were described as those "*... being subject to life, health and tenure risks or having inappropriate housing. These risks might be due to severe deterioration over time, housing built using components of makeshift material, being located in sites subject to landslides, floods or hazardous infrastructure and risky health conditions due to the lack of safe drinking water or improved sanitations and industrial pollution.*" Amnesty International believes these criteria apply to the 26 unsafe areas mentioned above in the 2050 Greater Cairo plan.

Amnesty International welcomes these initiatives and hopes that the government will develop a comprehensive plan in line with Egypt's obligations under international human rights law to address the threats to the rights of people living in unsafe areas. The government should provide adequate information to communities on the dangers posed by unsafe areas and develop an early warning emergency and evacuation plan to deal with situations where there are immediate threats to the rights to life and health of the residents. Slum upgrading and other housing programmes should prioritize people living in unsafe areas, along with other disadvantaged and marginalized groups. The government should also ensure adequate protection against forced evictions, guarantee that any alternative housing complies with requirements for adequacy of housing, and undertake genuine consultation with the affected communities in developing and implementing these plans and measures.

## RECOMMENDATIONS

In light of its findings summarized in this report, Amnesty International calls on the Egyptian authorities to:

### SURVIVORS OF THE ROCKSLIDE AND VICTIMS OF FORCED EVICTIONS

- Ensure that all survivors of the Al-Duwayqa rockslide and victims of ensuing forced evictions are provided with adequate alternative housing and that there is no discrimination against women, especially those who are divorced or separated, in the allocation process.
- Ensure that the alternative housing provided meets the needs of the residents in terms of habitability, affordability, location and availability of basic services such as health and education.
- Confer legal security of tenure on the survivors and victims of forced evictions who have been rehoused, and provide them with legal documentation and guarantees of protection against forced eviction.
- Respect the rights of all victims to an effective remedy, including access to justice and the right to reparations, including restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition. To guarantee these rights, the steps taken by the government could include: developing a memorial building in the site of the rockslide, in consultation with the survivors and other relatives of those killed; acknowledging the government's failure to protect the lives of those killed; providing treatment for post-trauma for the survivors.
- Publish the findings of the investigation by the office of the Public Prosecutor on the circumstances leading to deaths and injuries in the rockslide, and bring any persons found responsible to justice in fair trials without recourse to the death penalty.
- Set up an independent commission of inquiry to look into the causes of the rockslide, and evaluate the responses of the authorities to the warnings of risks and during the aftermath of the rockslide. In doing so the commission should be empowered to:
  - examine systemic failures, patterns of discrimination, underlying causes of the responses (or lack of) of the authorities, and other relevant contexts;
  - make recommendations about adequate reparation for victims, including consideration of whether reparation already given was adequate;
  - make recommendations on legislative, administrative, structural and other reforms that must be taken to prevent further loss of lives, and address the human rights of those living in the affected areas;
  - issue a public report with its findings.

## COMPREHENSIVE PLAN FOR UNSAFE AREAS

- Develop a comprehensive plan, consistent with international human rights law, to address the threats to the rights to life and health and the inadequate housing conditions of people living in unsafe areas. The plan should include offering temporary housing to enable people to be evacuated in situations of immediate risk besides permanent housing.
- Ensure the active participation of and undertake genuine consultation with the affected communities in developing and implementing the plan. Such participation would be a safeguard against fraud and/or other irregularities.
- Provide adequate information to communities on the dangers posed by unsafe areas and develop an early warning emergency and evacuation plan to deal with situations where there are imminent threats to the rights to life and health of the residents. These should be followed by adequate consultation, identifying permanent solutions and issuing clear instructions to local authorities.
- Allow residents of Manshiyet Nasser to officially introduce electricity, and water and sewerage connections, where possible.
- Ensure local authorities provide for geologists, engineers and other relevant professionals to monitor regularly the threats posed to Al-Muqattam's environment by sewerage water and other human activities which might eventually threaten the lives of the residents.
- In the 26 areas deemed unsafe in Greater Cairo, identify precisely, street by street, the zones that need urgent measures, initiate as a matter of priority the consultation process, and expeditiously identify and implement measures necessary to safeguard residents' lives and safety.
- Send expert committees of engineers to examine homes whose residents fear that the structure are in danger of collapsing or pose other dangers to their lives and health, to assess the need for relocation to alternative housing, as provided by the Law on Building of 2008 and the Law on Local Government.
- Ensure that priority is given to people living in unsafe areas, along with those who are homeless or are members of other disadvantaged and marginalized groups, in slum upgrading and other housing programmes.

## FORCED EVICTIONS, ENUMERATIONS AND ALTERNATIVE HOUSING

- Immediately end all forced evictions and enforce a clear prohibition on forced evictions. House demolitions should not be a precondition for relocation. Excessive force should never be used in carrying out an eviction.
- Ensure that all evictions, including those from state-owned land, are only carried out when procedural protections required under international human rights law are in place.

- Notify in writing all affected communities of administrative eviction orders with adequate advance notice and full information about their right to appeal.
- Allow those evicted reasonable time to remove their possessions.
- Define and publicize clear criteria and processes for the tasks of the enumeration committees and monitor the work of these committees to ensure that there is no discrimination in the identification of beneficiaries. Their decisions should be subject to appeal. Enumeration committees should identify their needs, including shops, workshops or other small businesses.
- Guarantee that any alternative housing provided to people complies with requirements for adequacy of housing, especially in terms of location, affordability, habitability and availability of services such as health and education, which remain major obstacles to relocation in new urban cities.
- Consider the destructive effects of relocating people far from their source of livelihood and their community where they can find work and afford costs of life.

#### IDENTITY CARDS AND DISCRIMINATION AGAINST RESIDENTS OF MANSHIYET NASSER

- Immediately resume the issuing of identity cards for residents of Manshiyet Nasser and ensure that individuals are granted identity cards without discrimination based on their place of residence.
- Ensure that lack of residence registration and other personal identity documents is not an obstacle to the enjoyment of human rights.
- Provide local authority staff with the appropriate training to engage with the communities in a spirit of collaboration, respect and transparency and with a view to eliminating discrimination and stigmatization.

#### UN HUMAN RIGHTS MECHANISMS

- Present Egypt's report to the UN Committee on Economic, Social and Cultural Rights, which has been overdue since 30 June 2003.
- Sign and ratify the Optional Protocol of the International Covenant on Economic, Social and Cultural Rights.

## ENDNOTES

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<sup>1</sup> The Egyptian Cabinet Information and Decision Support Center, *Annual Analytical Report on Major Crisis and Disasters, third edition*, 2008, p77. The figure on injuries covers only those who went to hospital.

<sup>2</sup> *Al-Masry Al-Youm* daily newspaper, "Al-Duwayqa Families clash with Police and Throw the Governor and Deputies of Parliament with Stones", 10 September 2008.

<sup>3</sup> This report uses "informal settlements" as equivalent to *ashwa'iyat* in Arabic but also uses the word "slum" as in "slum upgrading" as a synonym for informal settlement.

<sup>4</sup> *Al-Akhbar* daily newspaper, "The Presidents Mandates the Government to Offer The Flats to the Families Affected by Al-Duwayqa Rockslide Within Days", 9 September 2008.

<sup>5</sup> Masrawy.com, "In Parliamentary Debates on Al-Duwayqa event: Sorour expected it and Maghraby Accuses Fate", 11 September 2008, available at: <http://www.masrawy.com/News/Egypt/Politics/2008/september/11/doiqaacoll.aspx> (last accessed on 3 October 2009).

<sup>6</sup> Amnesty International interviews with survivors, 9 August 2009.

<sup>7</sup> According to the UN Committee on Economic, Social and Cultural Rights: "[L]egal security of tenure. Tenure takes a variety of forms, including rental (public and private) accommodation, cooperative housing, lease, owner-occupation, emergency housing and informal settlements, including occupation of land or property. Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection, in genuine consultation with affected persons and groups." See: UN Committee on Economic, Social and Cultural Rights, General Comment 4, The Right to Adequate Housing, UN Doc.E/1992/23, para 8(a).

<sup>8</sup> UN Committee on Economic, Social and Cultural Rights, Concluding Observation and Recommendations on Egypt, UN DOC. E/C.12/1/Add.44, 23 May 2000, para 22 and para 37.

<sup>9</sup> United Nations Development Programme, *Arab Human Development Report 2009, Challenges to Human Security in the Arab Countries*, UNDP, 2009, p11. See also: Sarah Sabry, *Poverty Lines in Greater Cairo, Underestimating and Misrepresenting Poverty*, International Institute for Environment and Development, May 2009.

<sup>10</sup> The term "those of limited income" (*mahdoudi el dakhli*) is usually used by the government as it is less emotionally charged than the term "poor" (*el foqra*).

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<sup>11</sup> Between 1982 and 2002, the government built 1,142,000 economic housing units and 945,700 more between 2002 and 2007. According to the 2006 population census, shortage of economic housing continued as these represented 11.8 per cent of (formal) housing units in Egypt. See Central Agency for Population Mobilisation and Statistics, *Study of Current and Future Needs for Housing Units in Egypt*, Central Agency for Population Mobilisation and Statistics, April 2008, pp33-36.

<sup>12</sup> United Nations Development Programme and The Institute of National Planning, *Egypt Human Development Report 2005, Choosing Our Future 2005: Towards a New Social Contract*, UNDP, 2005, pp139-147. The Ministry of Planning became in 2006 the Ministry of Economic Development.

<sup>13</sup> See the website of the Ministry of Housing, Utilities and Urban Planning: <http://www.housing-utility.gov.eg/Notes-kwamy.asp> (last accessed on 5 October 2009).

<sup>14</sup> To qualify to benefit from the project the conditions are: (1) being at least 20 years old; (2) having never received before a housing unit from a government entity or a loan from a cooperative; (3) neither owning a housing unit or real estate nor benefiting from open-ended rent conditions (old rent); (4) maximum individual income of EGP1,000 per month (approximately US\$180) or EGP1,500 for the family. See: Ibid.

<sup>15</sup> See the website of the Ministry of Housing, Utilities and Urban Planning: <http://www.housing-utility.gov.eg/executive-kwamy.asp> (last accessed on 5 October 2009).

<sup>16</sup> *Al-Masry Al-Youm*, "Housing of Youth Project Becomes a Business for Construction Companies", 19 July 2009.

<sup>17</sup> According to the Cairo Governorate, 38,904 economic housing units are planned in Cairo's new cities within the framework of the National Housing Project, 9,032 of which were completed by 2008 in Al-Nahda City and the rest is to be built in Al-Salam City, Badr City, in the north east of Cairo, and in Al-Muqattam, see Cairo Governorate, *Houses and Housing in Cairo Governorate*, 2008, pp1-7.

<sup>18</sup> Focus group discussions included around 10 persons and were held indoors, or else in a quieter place at a small distance from the rest of the community. Examples of focus groups are: Ezbet Bekhit survivors, women from Al-Duwayqa affected by identity cards ban in Manshiyet Nasser and evictees from Atfet Al-Moza.

<sup>19</sup> UN-Habitat, *The Challenge of Slums – Global Report on Human Settlements 2003*, Earthscan, 2003, p96.

<sup>20</sup> See for example: David Sims and al., *UN-Habitat Global Report on Human Settlements 2003: Slums and Poverty in the City, Cairo City Report*, 14 June 2002, p7. On slum upgrading in Cairo, see: Cairo Governorate, *Urban Development and the Challenges of Informal Settlements*, 2008. See also: GTZ Egypt Participatory Development Programme in Urban Areas (PDP), *Cairo's Informal Areas, Between Urban Challenges and Hidden Potentials*, June 2009.

<sup>21</sup> Greater Cairo comprises five governorates: Cairo, Giza, Qaliubya, Helwan and 6 October governorates.

<sup>22</sup> Central Agency for Population Mobilisation and Statistics, *Study of Informal Settlements in Egypt*, April 2008, pp23-34.

<sup>23</sup> Issued in September 2006 by the Minister of Housing, Utilities and Urban Development.

<sup>24</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 4, para 7.

<sup>25</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 4, para 8.

<sup>26</sup> NARSSS, Dr Mohamed N. Hegazy, *The Role of Remote Sensing and Information Systems in Monitoring and Analysing Environment Problems in Informal Settlements, Al-Muqattam – East of Cairo: Case Study of Al-Duwayqa slide of 6 September 2008*, 27 October 2008.

<sup>27</sup> For background information on Manshiyet Nasser, see: Hanaa Al Gohary, *Applied Studies in Urban Development*, Dar Al-Marefa Al-Gameiya, 2006, pp180-235.

<sup>28</sup> For more on rescue efforts, see: Egyptian Organization for Human Rights, *Marginalised in Informal Settlements...Dead or Alive, Al-Duwayqa Opens the Fire Anew*, 2008, pp12-16.

<sup>29</sup> The Egyptian Center for Housing Rights campaigns for the right to adequate housing for the poor and fights against forced evictions. The center provides free legal help to victims of forced evictions and residents in informal settlements who claim alternative housing. It also conducts research on the right to adequate housing in Egypt. The center was established in 1998 and registered as a civil company under Egyptian law. After the adoption of the new Law on Associations (Law 84 of 2002) the Egyptian Center for Housing Rights applied for registration to the Ministry of Social Solidarity in 2003. The registration application was rejected under Article 11 of the law, which disqualifies from registration associations whose activities “threaten national unity”, “have political activities” or “aim at making profits”. The center appealed against the decision before an administrative court and awaits its decision.

<sup>30</sup> Amnesty International interviews, 9 August 2009.

<sup>31</sup> *Al-Ahram* daily newspaper, “The Governor of Cairo in a Frank Confrontation on Al-Duwayqa Disaster: Fate was Faster Than Us”, 15 September 2008.

<sup>32</sup> Ibid.

<sup>33</sup> *Al-Masry Al-Youm* daily newspaper, “The Public Prosecutor Follows the Investigations and Prosecution West Forms a Committee to Investigate the Causes of the Rockslide”, 7 September 2008.

<sup>34</sup> Amnesty International meeting with the Public Prosecutor, 11 February 2009.

<sup>35</sup> Amnesty International interviews, 9 August 2009.

<sup>36</sup> General Comment Number 6, 30 April 1982, available at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/84ab9690ccd81fc7c12563ed0046fae3?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/84ab9690ccd81fc7c12563ed0046fae3?Opendocument), para 5.



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<sup>37</sup> Cairo Governorate, *Urban Development and the Challenges of Informal Settlements*, 2008, p28.

<sup>38</sup> Masrawy.com, "In Parliamentary Debates on Al-Duwayqa event: Sorour expected it and Maghraby Accuses Fate", 11 September 2008, available at: <http://www.masrawy.com/News/Egypt/Politics/2008/september/11/doiqaacoll.aspx> (last accessed on 3 October 2009).

<sup>39</sup> Amnesty International focus group discussions, 9 August 2009 and 16 August 2009.

<sup>40</sup> Amnesty International interviews, 9 August 2009.

<sup>41</sup> *Al-Masry Al-Youm* daily newspaper, "Detention of an Employee of Manshiyet Nasser Neighbourhood for Adding the Names of Relatives in Lists of Al-Duwayqa Victims to Receive Flats", 14 September 2008.

<sup>42</sup> *Al-Masry Al-Youm* daily newspaper, "Cairo: Completion of the rehousing of 1783 Al-Duwayqa families... And a Plan to Develop Transport in the Area", 24 October 2008.

<sup>43</sup> *Al-Badil* newspaper, Cairo Governor: 18 Feddans evacuated in Al-Duwayqa and walled to prevent infringements, 18 March 2009.

<sup>44</sup> Amnesty International interviews, 9 August 2009.

<sup>45</sup> Ibid.

<sup>46</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No.16, The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights, para 28.

<sup>47</sup> Amnesty International focus group discussions, 13 August 2009.

<sup>48</sup> *Al-Masry Al-Youm* daily newspaper, "Cairo: Completion of the rehousing of 1783 Al-Duwayqa families... And a Plan to Develop Transport in the Area", 24 October 2008.

<sup>49</sup> *Al-Masry Al-Youm* daily news, "28 Feddans evacuated in Al-Duwayqa and 4,005 families rehoused", 18 March 2009.

<sup>50</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 7, The Right to Adequate Housing, para 14. The Human Rights Committee has clarified that the principle of proportionality has three key dimensions: restrictive measures must be appropriate to achieve their protective function; they must be the least intrusive instrument amongst those which might achieve the desired result; and they must be proportionate to the interest to be protected. UN Human Rights Committee, Article 12: Freedom of Movement, para 14.

<sup>51</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No.7, The Right to Adequate Housing, para 3.

**44** Buried alive:  
Trapped by poverty and neglect in Cairo's informal settlements

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<sup>52</sup> The UN Commission on Human Rights has also recognized that under international human rights law forced evictions constitute gross violations of a range of human rights, in particular the right to adequate housing. UN Commission on Human Rights Resolution 1993/77, para 1.

<sup>53</sup> UN Committee on Economic, Social and Cultural Rights, General Comment No. 7, The Right to Adequate Housing, para.15.

<sup>54</sup> Ibid, para 16.

<sup>55</sup> Ibid, para 14.

<sup>56</sup> Amnesty International interviews, 9 August 2009.

<sup>57</sup> Amnesty International interviews, 5 August 2009.

<sup>58</sup> Amnesty International interviews, 9 February 2009.

<sup>59</sup> *Al-Masry Al-Youm* daily newspaper, "200 more families from Ezbet Khayrallah and Establ Antar rehoused in 6 October City", 21 May 2009.

<sup>60</sup> Amnesty International interviews, 5 August 2009.

<sup>61</sup> Amnesty International interviews, 5 August 2009 and 14 August 2009.

<sup>62</sup> Amnesty International interviews, 14 August 2009.

<sup>63</sup> Amnesty International interviews, 3 August 2009.

<sup>64</sup> Ibid.

<sup>65</sup> Ibid.

<sup>66</sup> Amnesty International interviews, 3 August 2009.

<sup>67</sup> Amnesty International interviews, 9 February 2009.

<sup>68</sup> Ibid.

<sup>69</sup> Amnesty International interviews, 3 August 2009.

<sup>70</sup> Ibid.

<sup>71</sup> Between 2007 and 2008, Japan's International Cooperation Agency (JICA) conducted a study on the sustainable development of Cairo offering its expertise in the field by identifying the necessary conditions for the expansion of Greater along axes of development. The government's partners said to have

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contributed through their expertise in developing the plan are: UNDP, UN-HABITAT, Cities Alliances, GTZ, JICA and the World Bank.

<sup>72</sup> Ministry of Housing, Utilities and Urban Planning, General Organisation of Physical Planning, *For a Vision of Cairo 2050 in the Framework of a National Vision of Egypt*, March 2009. Also: Ministry of Housing, Utilities and Urban Planning, General Organisation of Physical Planning, *Cairo 2050, Strategic long term plan for Greater Cairo Region*, 2008.

<sup>73</sup> The unsafe areas in Greater Cairo 2050 plan are: **In Cairo:** Al-Duwayqa, Ezbet Khayrallah and Establ Antar, Wadi Pharaon and Al-Shohba, Ezbet Al-Arab, Ezbet Abu Qarn, Ezbet Abu Hashish, Tal Al-Aqareb, Hekr Al-Sakakini, Ezbet Al-Nasr, Ezbet Al-Haggana. **In Giza:** Eshash Al-Seka Hadid, Sin Al-Agouz in Nazlet Al-Siman, Al-Zabalyn, Rab'a (Al-Saqia). **In Qaliubiya:** Al-Khosous, Sidi Khedr, Ezbet Al-Gamal, Ezbet Badran and Roustom, Al-Qattawi, Ezbet Ahmed Selim. **In Helwan:** Ezbet Al-Safih, Al-Hekr, Arab Salam, Ezbet El-'Omda. 6 October City does not contain an unsafe area.

<sup>74</sup> Ministry of Housing, Utilities and Urban Planning, General Organisation of Physical Planning, *For a Vision of Cairo 2050 in the Framework of a National Vision of Egypt*, March 2009.

<sup>75</sup> Ibid.



## BURIED ALIVE

### TRAPPED BY POVERTY AND NEGLECT IN CAIRO'S INFORMAL SETTLEMENTS

On 6 September 2008, over 100 residents of Ezbet Bekhit informal settlement were killed by a rockslide. One year on, the difficulties of finding affordable housing continue to force Egypt's poorest people to live in unsafe areas, threatening their rights to health and life.

Despite warnings of the impending rockslide, the Egyptian authorities failed to take adequate action to protect the lives of those in Ezbet Bekhit. Even today, many residents of Al-Duwayqa, the neighbouring informal settlement, and many others in unsafe areas remain at risk from rock falls and other hazards.

Immediately after the rockslide, the government evicted over a thousand families living in Al-Duwayqa and in the Establ Antar informal settlement in south Cairo, deeming these areas unsafe. Although some people needed to be moved to ensure their protection, no attempts were made to provide them with any information or consult them on their resettlement. Some of those who were evicted have been left homeless, while others have been given alternative housing but do not have security of tenure.

Amnesty International calls on the Egyptian authorities to develop a comprehensive plan to protect the rights to life, health and adequate housing of communities living in unsafe areas. The plan should be developed in consultation with and the participation of the affected communities. The government should also end and prohibit forced evictions and ensure that any evictions comply with international human rights standards.

Amnesty International  
International Secretariat  
Peter Benenson House  
1 Easton Street  
London WC1X 0DW  
United Kingdom

[www.amnesty.org](http://www.amnesty.org)

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